

## **IC 9-32-14**

### **Chapter 14. Damage to New Motor Vehicles**

#### **IC 9-32-14-1**

##### **Liability of dealer for damage**

Sec. 1. Notwithstanding the terms, provisions, or conditions of an agreement or franchise, a motor vehicle dealer is solely liable for damage to a new motor vehicle:

- (1) after acceptance from the carrier or transporter; and
- (2) before delivery to the ultimate purchaser.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-14-2**

##### **Liability of manufacturer, converter manufacturer, or automotive mobility dealer**

Sec. 2. Notwithstanding the terms, provisions, or conditions of any agreement or franchise, a manufacturer, converter manufacturer, or automotive mobility dealer is liable for all damage to a new motor vehicle before delivery of the motor vehicle to a carrier or transporter.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-14-3**

##### **Carrier related damage to new motor vehicle**

Sec. 3. A motor vehicle dealer is liable for damage to a new motor vehicle after the motor vehicle is delivered to the carrier or transporter only if the dealer selects the method of transportation, mode of transportation, and the carrier or transporter. In all other instances, the manufacturer is liable for carrier related damage to a new motor vehicle.

*As added by P.L.92-2013, SEC.78.*

#### **IC 9-32-14-4**

##### **Disclosure to ultimate purchaser of damage exceeding four percent of retail price**

Sec. 4. (a) This section does not apply to damage to:

- (1) glass;
- (2) radios;
- (3) tires;
- (4) air bags;
- (5) navigation systems;
- (6) DVD players;
- (7) voice command devices;
- (8) hands free technology; and
- (9) bumpers;

when replaced by identical manufacturer's original equipment.

(b) Any uncorrected damage or any corrected damage to a new motor vehicle that exceeds four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216), as measured by retail repair costs, must be disclosed by the dealer in writing before

delivery of the motor vehicle to the ultimate purchaser.

*As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.7.*

**IC 9-32-14-5**

**Disclosure of damage to new motor vehicle ordered by customer**

Sec. 5. Repaired damage to a new motor vehicle ordered by a customer not exceeding four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216) does not need to be disclosed at the time of sale.

*As added by P.L.92-2013, SEC.78.*